

DRAFT
MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

18 November 2003

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Belvin J. Jessup, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

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The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The City Manager recognized Mari Noguchi, employee in the Library Department, who served as courier for the meeting.

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The Mayor outlined Council procedure for conduct of the meeting.

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Mayor Holliday, City Manager Kitchen and Police Chief Wray recognized reserve police officer, David Smart, for his retirement after forty-two years of service with the Greensboro Police Department. They noted that Mr. Smart's service as a reserve officer was in conjunction with 43 years of employment with Lorillard Tobacco Company in Greensboro; spoke to positions he held in the Police Reserve Corps; and recognized his award of a lifesaving medal in 1995 for saving the life of Bill Owenby, a Greensboro resident, who was present at the meeting. The Mayor advised that Mr. Smart had volunteered twenty-seven thousand hours or the equivalent of thirteen years of full time service and praised him for this extraordinary contribution.

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The City Manager stated that this was the last official City Council meeting that Planning Department Director Tom Martin would attend in his capacity as Planning Director. The Manager spoke to the challenging nature of the position of the Planning Department Director; praised Mr. Martin for over twenty years of service in this role and thirty-three years with the City; stated that Mr. Martin's retirement merited celebration and recognition; spoke to Mr. Martin's great impact in the community through his work and other volunteer activities, and presented him with a picture of Greensboro as a token of the City's appreciation. Mr. Martin spoke to his responsibilities as Planning Director and his enjoyment of many aspects of his service with the City.

Members of Council and North Carolina State Representative Alma Adams, a former Greensboro City Councilmember, shared some of their individual experiences with Mr. Martin during his tenure and praised him for his work on the recently-adopted Comprehensive Plan; they thanked Mr. Martin for his years of service, professionalism and dedication.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RM-18 Residential Multifamily, Light Industrial and Heavy Industrial to Conditional District RM-18 Residential Multifamily for property located on the south side of Spring Garden Street between Park Terrace and Willowbrook Drive. He stated this matter was postponed from the November 5, 2003 meeting of Council.

After C. Thomas Martin, Planning Department Director, stated that the attorney representing the applicant had submitted a request to withdraw the item, the Mayor confirmed that no one present wished to speak to this matter.

Councilmember Carmany moved that this ordinance be withdrawn from the agenda. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional District-RM-5 Residential Multifamily for property located on the south side of Pisgah Church Road North of Lawndale Drive and west of the terminus of Pershing Court. He stated this matter was being heard on appeal filed by Marc L. Isaacson after receiving a vote of 0-7 by the Zoning Commission.

After Mr. Martin stated that he had received a request to continue this matter, The Mayor asked if anyone present wished to be heard.

Mark Isaacson, attorney with offices located at 101 West Friendly Avenue, stated he represented the current property owner and contract purchaser in this rezoning case; he requested the matter be continued to December 16, 2003 to allow for time to address policy issues with respect to street connectivity in older neighborhoods because this was a key interest in this case. He stated he hoped this would allow Council time to adopt an amended policy regarding connectivity in older neighborhoods.

Councilmember Johnson moved that the item be continued to the December 16, 2003 City Council meeting without further advertising. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of Council.

Noting his concern with the timeline and process involving zoning and street connectivity issues, Councilmember Phillips moved to direct staff to prepare amendments to the street connectivity policy for Council's consideration at the December 16, 2003 Council meeting. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development, to establish the 60 DNL Noise Contour as the Overlay District Boundary.

Mr. Martin explained that the Day Night Level (DNL) considered unacceptable for noise use by the FAA was 65 and used a map to illustrate the changes in the noise level patterns near the airport; he advised that staff recommended the change as part of the airport area plan and spoke to the impact the ordinance would have on residential zoning density in the airport area.

The Mayor asked if anyone wished to be heard; no one present wished to speak.

Councilmember Perkins moved adoption of the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-247 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-4-4.4, Airport Overlay District, is hereby amended by rewriting the section to read as follows:

“30-4-4.4 Airport Overlay District

(A) ~~65-Ldn~~ 60 DNL Noise Contour Area:

- 1) The area within the ~~65-Ldn~~ 60 DNL Noise Contour Area around Piedmont Triad International Airport, as delineated on the ~~Off-Airport Land Use Plan in the PTI Airport Master Plan~~ Generalized Future Land Use Map in the Greensboro Connections 2025 Comprehensive Plan and on the Airport Area Plan, adopted by Guilford County on September 12, 2002 and endorsed by the City of Greensboro on June 18, 2002, shall be the Airport Overlay District.
- 2) ***Within the Airport Overlay District, no residential uses shall be permitted except single family detached dwellings on lots which are forty thousand (40,000) square feet or larger in area.***

- (B) Approach Zone Area Height Limits: 1) ~~The Approach Zone Area lies within the 65 Ldn Noise Contour Area and consists of the approach zones~~ No structure shall be erected which exceeds the height limits delineated on the Approach and Clear Zone Plan in the PTI Airport Master Plan.

~~2) Within the Approach Zone Area, places of public assembly such as schools, churches, theaters, auditoriums, and coliseums shall not be erected or otherwise located.~~

- (C) Incorporation of Airport Plans: This Section incorporates by reference the ~~Off-Airport Land Use Plan and the Approach and Clear Zone Plan in the PTI Airport Master Plan.~~

Section 2. That Section 30-4-1.3, Overlay Districts, is hereby amended by rewriting subsection (C) to read as follows:

- “(C) AR Airport District. The AR Airport Overlay District establishes very low residential densities near the Piedmont Triad International Airport so as to minimize the negative effects of aircraft noise on homes and prohibits ~~certain public assembly uses in the runway approach areas so as to minimize negative public safety and noise impacts~~ the erection of structures which would, by virtue of their height, interfere with operations at Piedmont Triad International Airport. These regulations are specified in Section 30-4-4 (Overlay District Requirements).

Section 3. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Robert V. Perkins

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development, to permit low voltage electric fencing in Light Industrial and Heavy Industrial Districts, subject to meeting standards.

Mr. Martin stated the ordinance would permit businesses located in Light Industrial and Heavy Industrial zoned areas to use electronic fences as security devices. He advised that other cities permitted the low voltage fences, spoke to the specifications of these fences and noted that signs would be posted in various locations near the fences.

Mayor Holliday asked if anyone present wished to speak to this matter.

The following speakers spoke in favor of the ordinance.

Randy Mullis, residing at 1107 Stonehouse Road in Chapin, North Carolina, advised that he worked with a firm that constructed electrical fences. He explained that shock was not a risk from these fences, stated that the fences were primarily operated on battery power and advised that bilingual signs located near the fences were illuminated.

Mark Whitsell, manager at Randleman Station located at 214 Stage Coach Trail, spoke to various aspects of his business, past history with theft from this property and safety aspects of the fence.

Jerry Gallimore, representing Glove Knight, a trucking company located in Greensboro, spoke to types of fencing used in the past to deter theft from the property and advised that those fences had not successfully prevented theft. He advised that the electric fence would set off an alarm when tampering occurred.

Councilmember Phillips moved that the public hearing be closed. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of Council.

Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03- 248 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-4-9.4, Prohibited Fence Types, is hereby amended by rewriting subsection (B) to read as follows:

- “(B) Fences carrying electrical current, except for the purpose of enclosing livestock in Agricultural Districts or as allowed in Subsection 30-4-9.7 (G) (Low-Voltage Electrified Fencing).”

Section 2. That Section 30-4-9.6, Height, is hereby amended by rewriting subsection (C) to read as follows:

- “(C) *Commercial, Industrial, Institutional, Office, or Other Nonresidential Uses:* No fence shall exceed eight (8) feet in height unless the fence observes the required principal building setbacks or is at least fifteen (15) feet from all property lines or meets the requirements of Subsection 30-4-9.7 (G) (Low-Voltage Electrified Fencing).”

Section 3. That Section 30-4-9.7, Other Fence Requirements, is hereby amended by adding a new subsection (G) to read as follows:

- “(G) *Low-Voltage Electrified Fencing:* Low-voltage electrified fencing with a maximum of twelve (12) volts, primary voltage, is allowed in the Light Industrial and Heavy Industrial Districts subject to meeting the following:
- (1) *An electrified fence shall be no higher than ten (10) feet.*
 - (2) The entire electrified fence shall be inside of or enclosed by a non-electrified fence or wall with a minimum height of six (6) feet.
 - (3) The entire electrified fence shall be separated from the non-electrified fence or wall by a minimum distance of at least six (6) inches at the closest point.
 - (4) The electrified fence shall be identified as such by a warning sign displayed at the rate of at least one sign per fifty (50) linear feet of fencing.”

Section 4. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Claudette Burroughs-White

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to change the term "Common Area" and Common Areas" to "Common Elements" and to change the definition of Common Area to Common Elements (common area)" in various sections of the Development Ordinance; and so that these matters could be considered

together; he introduced an ordinance amending Chapter 11 of the Greensboro Code of Ordinances with respect to Housing to replace the phrase "common areas" with "common elements".

After Mr. Martin provided brief comments, the Mayor asked if anyone present wished to be heard.

There Being no one present who wished to speak to these matters, Councilmember Gatten moved adoption of the ordinance amending Chapter 30 of the Greensboro Code of ordinances with respect to Zoning, Planning and Development to change the term " Common Area" and "Common Areas" to "Common Elements" and to change the definition of "Common Area" to "Common Elements (common area)" in various sections of the development ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-249 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That the following sections be amended by replacing the phrases "common area" and "common areas" with "common elements" as follows:

Section 2-2-2.3 DWELLINGS, Townhouse Dwelling
Section 2-2-2.7 GENERAL, Integrated Multiple Use Development
Section 30-4-3.3(I)(1)
Section 30-4-3.3(I)(3)
Section 30-4-3.6
Table 30-4-5-1 PERMITTED USE SCHEDULE, RESIDENTIAL USES
Section 30-4-6.1(B)(1)
Section 30-4-6.1(B)(4)(b)
Section 30-4-6.1(B)(4)(d)
Section 30-4-6.1(B)(4)(e)
Section 30-4-6.1(D)(2)(b)
Section 30-4-10.2(D)
Section 30-5-2.81(B)
Section 30-6-10.1(A)
Section 30-6-10.1(B)
Section 30-6-10.1(C)
Section 30-6-10.1(E)
Section 30-6-10.2
Section 30-6-10.2(B)(2)
Section 30-6-10.2(B)(3)
Section 30-6-10.2(D)
Section 30-6-10.2(F)
Section 30-6-10.2(G)
Section 30-6-13.3(H)(2)
TABLE 30-6-13-2
Section 30-7-1.11(B)
TABLE 30-7-2-2 DEFINITIONS, EXPLANATIONS & STANDARDS, Note 6
Section 30-7-3.2(D)(1)(d)
APPENDIX A-2-2

Section 2. That Section 30-2-1 DEFINITION INDEX is hereby amended by rewriting "Common Area" to read as follows:

"Common Area (See Common Elements) [30-2-2.7](#)"

Section 3. That Section 30-2-1 DEFINITION INDEX is hereby amended by adding the following:

“Common Elements 30-2-2.7”

Section 4. That Section 2-2-2.7 GENERAL, Common Area is hereby amended to read as follows:

“Common elements (common area). All areas, including private streets, conveyed to an owners' association within a development or owned on a proportional undivided basis in a condominium development.”

Section 5. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Florence F. Gatten

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Councilmember Burroughs-White moved adoption of the ordinance amending Chapter 11 of the Greensboro Code of Ordinances with respect to Housing to replace the phrase “common areas” with “common elements”. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-250 AMENDING CHAPTER 11

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO HOUSING

Section 1. That Section 11-2, is hereby amended by replacing the phrase “common areas” with “common elements”

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

(Signed) Claudette Burroughs-White

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The Mayor stated that this was the time and place set for a public hearing to consider a proposed annexation agreement between the City of Greensboro and the Piedmont Triad Airport Authority. After the City Manager advised that staff requested this matter be continued to December 16, 2003, the Mayor asked if anyone wished to be heard. No one present wished to speak to this matter.

Councilmember Vaughan moved that this matter be continued to the December 16, 2003 Council meeting without further advertising. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of Council.

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Leland Drive from Wireless Drive Westward for a distance of 10 feet.

Mr. Martin presented an area map and stated the Planning Department recommended denial of the request in conjunction with implementation of a traffic calming plan.

Adam Fischer, a traffic engineer in the Transportation Department, stated that staff and the technical review committee recommended against the closing of the street primarily because emergency response times would be increased and excessive block lengths would conflict with the Zoning, Planning and Development Ordinance. He presented power point slides and noted that staff recommended traffic calming devices.

Mayor Holliday asked if anyone wished to speak to this matter.

The following speakers spoke in favor of the street closing.

Michael Cook, residing at 106 Leland Drive, spoke to his past efforts at City Council meetings to prevent the street connection of Leland Drive and Wireless Drive. He expressed concern with potential traffic problems that could result with future development of the neighborhood. He requested Council to vote in favor of the street closing.

The City Attorney advised Council that staff recommended that an easement be retained for pedestrians and bicyclists if the street were closed.

Bill Rice, residing at 304 Leland Drive, spoke to existing traffic concerns in the area and requested approval of the street closure.

Rufus Thompson, residing in the Thousand Oaks subdivision, spoke to traffic concerns he anticipated if the street were not closed. He requested Council to approve the street closing.

There being no one present who wished to speak against the street closing, Councilmember Johnson moved that the public hearing be closed. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of Council.

After the Mayor read into the record the provisions of the resolution closing the street, Councilmember Carmany voiced concern with respect to the potential for setting a precedent for future street connection cases if the resolution were adopted. She stated that she believed traffic calming devices would adequately address neighborhood traffic concerns.

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: Carmany.

240-03 RESOLUTION CLOSING LELAND DRIVE FROM WIRELESS DRIVE WESTWARD FOR A DISTANCE OF 10 FEET

WHEREAS, the owners of all of the property abutting both sides of Leland Drive from Wireless Drive westward for a distance of 10 feet, have requested in writing that said street be closed to the general public for vehicular access but the right of way remain open for pedestrian and bicycle access, and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, November 18, 2003 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public for vehicular access but the right of way remain open for pedestrian and bicycle access, and the City's interest therein released.
2. That the City Council hereby finds as a fact that the closing of the street to the general public for vehicular access is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of the reasonable means of ingress or egress to his or its property.
3. That the following street is hereby permanently closed to the general public for vehicular access, however the right of way shall remain open for pedestrian and bicycle access and the City's interest therein released:

LELAND DRIVE FROM WIRELESS DRIVE WESTWARD FOR A DISTANCE OF 10 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Albany Street from North Benbow Road Eastward to O' Henry Boulevard, a distance of approximately 300 feet.

Following brief comments by Mr. Martin, the Mayor asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

241-03 RESOLUTION CLOSING ALBANY STREET FROM NORTH BENBOW ROAD EASTWARD TO O.HENRY BOULEVARD, A DISTANCE OF APPROXIMATELY 300 FEET

WHEREAS, the owner of all of the property abutting both sides of Albany Street, from North Benbow Road eastward to O.Henry Boulevard, a distance of approximately 300 feet, has requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, November 18, 2003 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

5. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned street has requested in writing that said street be closed to the general public and the City's interest therein released.
6. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of the reasonable means of ingress or egress to his or its property.
7. That the following street is hereby permanently closed to the general public and the City's interest therein released:

ALBANY STREET FROM NORTH BENBOW ROAD EASTWARD TO O.HENRY BOULEVARD, A DISTANCE OF APPROXIMATELY 300 FEET

8. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

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Moving to the Consent Agenda, Councilmember Carmany requested that item 23 be removed from the Consent Agenda. Councilmember Carmany thereupon moved adoption of the ordinances, resolutions and motion on the Consent Agenda as amended. The motion was seconded by Councilmember Phillips; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

242-03 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN
PORTION OF THE PROPERTY OF BROOKFIELD WOODS ACQUISITION COMPANY, LLC, IN
CONNECTION WITH THE LAWDALE DRIVE SIDEWALK IMPROVEMENTS PROJECT

WHEREAS, Brookfield Woods Acquisition Company, LLC, is the owner of certain property located on Lawndale Drive, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Lawndale Drive Sidewalk Improvements Project;

WHEREAS, negotiations with the owners at the appraised value of \$7,325.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner in the amount of \$7,325.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$7,325.00 to the Clerk of Superior Court as compensation to the owner, payment to be made from Account No. 402-4531-01.6012 activity #03216.

(Signed) Sandra G. Carmany

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03-251 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE
APPROPRIATION OF FEDERAL FUNDS FOR THE PURCHASE OF EQUIPMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3586-01.5235	Small Tools and Equipment	\$ 203,810
220-3586-01.5429	Other Contracted Services	\$ 700
220-3586-01.6059	Other Capital Equipment	<u>\$ 57,223</u>
TOTAL:		\$ 261,733

and, that this increase be financed by increasing the following State, Federal, and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3586-01.7100	Federal Grant	\$235,560
220-3586-01.7104	Federal Forfeiture	<u>\$ 26,173</u>
TOTAL:		\$261,733

(Signed) Sandra G. Carmany

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243-03 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2003-04 WITH BAKER ROOFING FOR THE DAVIE STREET DECK

WHEREAS, Contract No. 2002-04 with Baker Roofing provides for repairs of various types and applying protective coatings as well as replacing the existing metal guardrails at the Davie Street Parking Deck;

WHEREAS, due to the nature of this type of construction, it is necessary to assess the quantity of the work and the materials used after the contractor begins the work and the severity of repair work is determined, creating the need to make adjustments after the demolition work begins, thereby necessitating a change order in the contract in the amount of \$328,456.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Baker Roofing for the Davie Street Parking Deck improvements is hereby authorized at a total cost of \$328,456.00, payment of said additional amount to be made from Account No. 545-4535-01.6019 Lawson #03148.

(Signed) Sandra G. Carmany

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244-03 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2003-09A WITH LAUGHLIN-SUTTON CONSTRUCTION FOR THE STONEY CREEK BOOSTER STATION AND WATER LINE PROJECT

WHEREAS, after due notice, bids have been received for the Stoney Creek Booster Station and water line;

WHEREAS, Laughlin-Sutton Construction, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$914,348.00 as general contractor for Contract No. 2003-09A, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Laughlin-Sutton Construction is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 510-7024-02.6019.

(Signed) Sandra G. Carmany

(A tabulation of bids for contract no. 2003-09A for the Stoney Creek Booster Station and Water Line Project is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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245-03 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2003-09B WITH LAUGHLIN-SUTTON CONSTRUCTION COMPANY FOR THE US70 & McCONNELL ROAD BOOSTER STATION

WHEREAS, after due notice, bids have been received for the US70 & McConnell Road Booster Station;

WHEREAS, Laughlin-Sutton Construction Company, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,519,607.00 as general contractor for Contract No. 2003-09B, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Laughlin-Sutton Construction Company is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 510-7024-02.6019.

(Signed) Sandra G. Carmany

(A tabulation of bids for contract no. 2003-09B for the US70 & McConnell Road Booster Station is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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246-03 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2003-40 WITH BARR CONSTRUCTION FOR THE HVAC RENOVATIONS FOR THE LAKE TOWNSEND WATER TREATMENT PLANT

WHEREAS, after due notice, bids have been received for the HVAC renovations for the Lake Townsend Water Treatment Plant;

WHEREAS, Barr Construction a responsible bidder, has submitted the low base and alternate bid in the total amount of \$485,300.00 as general contractor for Contract No. 2003-40, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Barr Construction is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 510-7025-03.6019.

(Signed) Sandra G. Carmany

(A tabulation of bids for Contract No. 2003-40 for the HVAC renovations for the Lake Townsend Water Treatment Plant is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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247-03 RESOLUTION AUTHORIZING CONSERVATION EASEMENT AGREEMENT FOR SPRING VALLEY PARK BETWEEN THE CITY OF GREENSBORO AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, North Carolina Department of Transportation (NCDOT) has designed a Stream Restoration Project to restore 1350 feet of stream in Piedmont Creek which runs through Spring Valley Park;

WHEREAS, they are conducting the restoration to gain mitigation credits for impacts to streams resulting from the construction of the Greensboro Western Urban Loop;

WHEREAS, NCDOT is requesting that the City provide a Conservation Easement Agreement in the park to provide protection to the restored area, prohibiting any future use other than conservation, said Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Conservation Easement Agreement for the stream restoration project through Spring Valley Park is formally approved by the City Council of the City of Greensboro and that the Mayor and Clerk of the City are hereby empowered to sign and execute the Agreement with the Department of Transportation.

(Signed) Sandra G. Carmany

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248-03 RESOLUTION AUTHORIZING CONSERVATION EASEMENT AGREEMENTS FOR HILLSDALE PARK AND BROWN BARK PARK BETWEEN THE CITY OF GREENSBORO AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

WHEREAS, North Carolina Department of Transportation (NCDOT) and the City of Greensboro have agreed to pursue stream restoration projects through the City;

WHEREAS, NCDOT, through the Division of Water Quality, Wetlands Restoration Program will pursue stream restoration projects to enhance water quality and environmental quality in general in exchange for the City providing Conservation Easement Agreements for the areas;

WHEREAS, NCDOT is requesting that the City provide Conservation Easement Agreements for Hillsdale Park and Brown Bark Park to provide protection to the restored area, prohibiting any future use other than conservation, said Agreements presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Conservation Easement Agreements for the stream restoration projects through Hillsdale Park and Brown Bark Park are formally approved by the City Council of the City of Greensboro and that the Mayor and Clerk of the City are hereby empowered to sign and execute the Agreements with the Department of Transportation.

(Signed) Sandra G. Carmany

.....

250-03 RESOLUTION APPROVING CHANGE IN STATE HIGHWAY SYSTEM STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF GREENSBORO

WHEREAS, in reviewing the status of State Highway System Streets with officials of the State Highway Commission, it has been determined that certain additions should be made on the State Highway System Streets within the corporate limits of the City of Greensboro:

Streets to be Added

1. Bentley Road from Regional Road to its terminus.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the addition in the State Highway System Streets as shown above is hereby approved and shall become effective upon approval by the State Highway Commission.

(Signed) Sandra G. Carmany

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03-252 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FEDERAL FORFEITURE FUNDS TO PURCHASE REPLACEMENT BODY ARMOR FOR POLICE EMPLOYEES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3587-01.5421	Contracted Uniform Services	<u>\$130,000</u>
TOTAL:		\$130,000

and, that this increase be financed by increasing the following State, Federal, and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3587-01.7104	Federal Forfeiture	<u>\$130,000</u>
TOTAL:		\$130,000

(Signed) Sandra G. Carmany

.....

03-250 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE
WORKFORCE INVESTMENT ACT PROGRAM AND WELFARE TO WORK PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 03-04 Budget for the City of Greensboro is hereby amended as follows:

SECTION 1

That the appropriation to the Workforce Investment Act (WIA) PY 2003 Youth Supplement Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0254-53.5277	Promotions – Community Events	\$26,108

and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2003 Youth Supplement Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0254-53.7100	Federal Grant	\$26,108

SECTION 2

That the appropriation to the Workforce Investment Act (WIA) PY 2002 Local Accountability Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0253-55.5429	Other Contracted Services	\$50,000

and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2002 Local Accountability Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0253-55.7100	Federal Grant	\$50,000

SECTION 3

That the appropriation to the Workforce Investment Act (WIA) PY 2003 Incumbent Worker Program Daimler-Chrysler Fund be increased as follows:

216-0254-56.5429	Other Contracted Services	\$38,111
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and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2003 Incumbent Worker Program Daimler-Chrysler Fund account:

216-0254-56.7100	Federal Grant	\$38,111
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SECTION 4

That the appropriation to the Workforce Investment Act (WIA) PY 2003 Incumbent Worker Program Timco Fund be increased as follows:

216-0254-57.5429	Other Contracted Services	\$56,753
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and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2003 Incumbent Worker Program Timco Fund account:

216-0254-57.7100	Federal Grant	\$56,753
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SECTION 5

That the appropriation to the Workforce Investment Act (WIA) PY 2002 Capacity Building Grant Fund be increased as follows:

216-0253-52.5419	Other Services	\$2,000
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and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2002 Capacity Building Grant Fund account:

216-0253-52.7100	Federal Grant	\$2,000
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SECTION 6

That the appropriation to the Workforce Investment Act (WIA) PY 2003 Adult Grant Fund be increased as follows:

216-0224-23.5429	Other Contracted Services	\$87,901
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and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2003 Adult Grant Fund account:

216-0224-20.7100	Federal Grant	\$87,901
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SECTION 7

That the appropriation to the Workforce Investment Act (WIA) PY 2003 Dislocated Worker Grant Fund be increased as follows:

216-0234-34.5520	Training Expense	\$270,020
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and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2003 Dislocated Worker Grant Fund account:

216-0234-30.7100	Federal Grant	\$270,020
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SECTION 8

That the appropriation to the Workforce Investment Act (WIA) PY 2003 Administration Grant Fund be increased as follows:

216-0214-10.4110	Salaries	\$39,769
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and, that this increase be financed by increasing the Workforce Investment Act (WIA) PY 2003 Administration Grant Fund account:

216-0214-10.7100	Federal Grant	\$39,769
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SECTION 9

That the appropriation to the Welfare to Work (WTW) Grant Fund be decreased as follows:

<u>Estimated Revenues</u>	<u>Estimated Expenditures</u>
Federal Grant	\$594,528
Operating Expenses	<u>\$594,528</u>
Total: \$594,528	\$594,528

(Signed) Sandra G. Carmany

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251-03 RESOLUTION AUTHORIZING INSTALLATION OF SEWER LINE ALONG ALAMANCE CHURCH ROAD UNDER AGREEMENT BETWEEN CITY OF GREENSBORO AND GUILFORD COUNTY

WHEREAS, Guilford County has recently authorized the installation of an 8-inch sewer line from the existing sewer outfall to the western property line of the development at the intersection of Alamance Church Road and Presbyterian Road to serve a proposed veterinary hospital owned by Rodger W. Kleisch, in accordance with the Consolidated Water and Sewer Agreement between the County and the City;

WHEREAS, the project will be privately financed by the owner;

WHEREAS, in the opinion of the City Council, the best interest of the City will be served by the construction of the 8-inch sewer line in accordance with said agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the construction of the above mentioned sewer line in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided that there shall be no assessments levied.

(Signed) Sandra G. Carmany

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Motion to approve report of budget adjustments covering October 1-31, 2003 was unanimously adopted. (A copy of the report is filed in Exhibit Drawer O, Exhibit Number 1 and is hereby referred to and made a part of the minutes.)

.....

Mayor Holliday introduced a resolution authorizing agreement between the City of Greensboro and Piedmont Triad Airport Authority for sewer line installation in the proposed relocation of Bryan Boulevard.

Howard Fleming, residing at 5501 Turtle Court, raised questions with respect to concerns about the proposed relocation of Bryan Boulevard. The Mayor and Councilmember Carmany shared information concerning the proposed relocation of the road; Councilmember Perkins explained the economic benefit of installing the sewer line prior to the relocation of the road.

Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

249-03 RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF GREENSBORO AND PIEDMONT TRIAD AIRPORT AUTHORITY FOR SEWER LINE INSTALLATION IN THE PROPOSED RELOCATION OF BRYAN BOULEVARD

WHEREAS, a portion of Bryan Boulevard will need to be relocated in conjunction with the airport expansion project;

WHEREAS, it is necessary to construct a sewer line through the proposed interchange during its construction to avoid costly installation after the interchange is completed;

WHEREAS, Water Resources has worked with representatives of both the Airport Authority and North Carolina Department of Transportation to determine an acceptable alignment to provide sewer service to an area which is currently not served by public sewer;

WHEREAS, the City and the Piedmont Triad Airport Authority have agreed to enter into an Agreement for the construction of the sewer line at this time, said Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Agreement between the City of Greensboro and the Piedmont Triad Airport Authority for the construction of a sewer line in the interchange of the relocated Bryan Boulevard is hereby approved by the City Council of the City of Greensboro and that the Mayor and the Clerk of the City are hereby empowered to sign and execute said Agreement.

(Signed) Florence F. Gatten

.....

The Mayor introduced a resolution identifying the areas under consideration for Annexation by the City of Greensboro.

Mr. Martin explained the use of this process in the past and at present for identifying areas of annexation at least one year prior to their consideration for annexation. He presented a map of the proposed areas of annexation and noted the location and number of miles covered in the proposed annexation area.

Councilmember Perkins suggested Council explore options that could result in gaining joint planning authority over areas of County property located in the proposed annexation area so that a comprehensive long range plan could be developed for the area.

Mr. Martin advised that the 2025 Comprehensive Plan called for a fringe area plan to be developed between the City and Guilford County and spoke to the time line for this plan.

Councilmember Perkins requested Council to take formal action to facilitate joint City County planning of this area. The Manager advised that this issue would be reviewed at the December Council work session for possible consideration of a joint planning resolution in January.

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

252-03 RESOLUTION IDENTIFYING THE AREAS UNDER CONSIDERATION FOR ANNEXATION BY THE CITY OF GREENSBORO

WHEREAS, municipal growth through annexation is essential to sound urban development and continued economic development in Greensboro and Guilford County; and

WHEREAS, the North Carolina General Statutes provide for annexation by municipalities according to certain legislative standards, and with the provision of certain services; and

WHEREAS, there are areas adjacent to the City of Greensboro that may be eligible for annexation under the North Carolina General Statutes; and

WHEREAS, the City Council is in the process of considering areas for possible annexation and plans to review those areas under consideration annually; and

WHEREAS, NORTH CAROLINA GENERAL STATUTE 160A-49(I) PROVIDES THAT A RESOLUTION OF CONSIDERATION MUST BE ADOPTED BY THE CITY COUNCIL AT LEAST ONE YEAR PRIOR TO THE RESOLUTION OF INTENT TO ANNEX IN ORDER TO BEGIN THE CITY-INITIATED ANNEXATION PROCEDURE AND MAKE IT EFFECTIVE WITHIN A YEAR AFTER THE DATE OF PASSAGE OF THE ANNEXATION ORDINANCE; AND

WHEREAS, the City of Greensboro adopted two Resolutions of Consideration on December 31, 1992 and December 30, 1993, identifying the exact same areas; and

WHEREAS, the City of Greensboro adopted a third Resolution of Consideration on December 18, 1995 identifying the same areas as well as additional areas; and

WHEREAS, the City of Greensboro adopted a fourth Resolution of Consideration on December 16, 1997 identifying the same areas as well as additional areas; and

WHEREAS, the City of Greensboro adopted a fifth Resolution of Consideration on December 7, 1999 identifying the same areas; and

WHEREAS, the City of Greensboro adopted a sixth Resolution of Consideration on December 18, 2001 identifying the same areas as well as additional areas; and

WHEREAS, the effect of this resolution is to extend until November 18, 2005, the duration of Resolution 309-92 adopted by the City Council on December 31, 1992, Resolution 270-93 adopted by the City Council on December 30, 1993; Resolution 255-95 adopted by the City Council on December 18, 1995; Resolution 249-97 adopted by the City Council on December 16, 1997; Resolution 209-99 adopted by the City Council on December 7, 1999; Resolution 244-01 adopted by the City Council on December 18, 2001; and

WHEREAS, the effect of this resolution is also to adopt the boundaries as shown on the attached map;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA:

Section 1 - That all areas described on Attachment A (2003-2005 Resolution of Consideration Map) are under consideration for annexation by the City of Greensboro.

Section 2 - That all areas described on Attachment A (2003-2005 Resolution of Consideration Map) and shaded in blue were a part of Resolutions 309-92, 270-93, 255-95, 249-97, 209-99, or 244-01 and continue to be under consideration for annexation by the City of Greensboro and that all areas shown in orange are now under consideration for annexation by the City of Greensboro.

Section 3 - That persons owning agricultural land, horticultural land, or forestland that is, or may become, eligible for present-use value appraisal and present-use value taxation are hereby notified that such eligible properties, upon annexation, shall have limited obligations and rights pursuant to N.C. General Statutes 160A-49 (f1) and (f2). N.C. General Statutes 160A-49(f2) provides:

(1) Upon the effective date of the annexation ordinance, the property is considered part of the city only (i) for the purpose of establishing city boundaries for additional annexations pursuant to this Article and (ii) for the exercise of city authority pursuant to Article 19 of this Chapter.

(2) For all other purposes, the annexation becomes effective as to each tract of such property or part thereof on the last day of the month in which that tract or part thereof becomes ineligible for classification pursuant to G.S. 105-227.4 or no longer meets the requirements of subdivision (f1) (2) of this section. Until annexation of a tract or a part of a tract ~~becomes effective pursuant to this subdivision, the tract or part of a tract is not subject to taxation by the city under Article 12 of Chapter 105 of the General Statutes nor is the tract or part of a tract entitled to services provided by the city.~~

Deleted: beomes

Section 4 - That this Resolution and Map shall be on file in the Office of the City Clerk of the City of Greensboro for inspection by citizens of the city and the surrounding area.

Section 5 - That this Resolution shall become effective immediately upon adoption.

(Signed) Claudette Burroughs-White

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Mayor Holliday introduced a resolution authorizing the use of Downtown Development Funds in the amount of \$125,000 appropriated in the FY- 03-04 General Fund Budget for Downtown Greensboro, Inc. (DGI).

Ray Gibbs, president of Downtown Greensboro, Incorporated noted that the downtown development funds were used primarily as reimbursements for completed projects in areas of beautification, maintenance, etc.

Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

253-03 RESOLUTION AUTHORIZING THE USE OF DOWNTOWN DEVELOPMENT FUNDS APPROPRIATED IN THE FY 03-04 GENERAL FUND BUDGET FOR DOWNTOWN GREENSBORO, INC (DGI).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 03-04 Budget of the City of Greensboro is hereby adjusted as follows:

That the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
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101-9545-17.5931	Contribution to Non-Gov'tal Agencies	\$125,000
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and, that this increase be financed by decreasing the following General Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9545-23.5931	Contribution to Non-Gov'tal Agencies	\$125,000

(Signed) Thomas M. Phillips

.....

The Mayor introduced a resolution authorizing the use of Downtown Development Funds in the amount of \$24,250 appropriated in the FY 03-04 General Fund Budget for Grassroots Productions, Ltd.

Betty Cone, residing at 35 B Fountain Manor and representing Grassroots Productions Ltd., spoke to the organization's partnering with Downtown Greensboro Incorporated to coordinate downtown holiday activities. She discussed planned uses of the funding and invited Council and citizens to participate in the upcoming tree lighting ceremony in the new Center City Park and various other downtown holiday festivities. Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Perkins; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

254-03 RESOLUTION AUTHORIZING THE USE OF DOWNTOWN DEVELOPMENT FUNDS APPROPRIATED IN THE FY 03-04 GENERAL FUND BUDGET FOR GRASSROOTS PRODUCTIONS, LTD.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 03-04 Budget of the City of Greensboro is hereby adjusted as follows:

That the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9520-25.5931	Contribution to Non-Gov'tal Agencies	\$24,250

and, that this increase be financed by decreasing the following General Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9545-23.5931	Contribution to Non-Gov'tal Agencies	\$24,250

(Signed) Yvonne J. Johnson

.....

The Mayor introduced a resolution establishing the FY 03-04 Parks and Recreation Bond Fund Budget for City's contribution to the Gateway Garden Project.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

255-03 RESOLUTION ESTABLISHING THE FY 03-04 PARKS & RECREATION BOND FUND BUDGET FOR CITY'S CONTRIBUTION TO THE GATEWAY GARDEN PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

WHEREAS, the City of Greensboro wishes to enhance its entrance to the City at the northwest intersection of Lee Street and Florida Street by building a Gateway Garden;

WHEREAS, the City has partnered with Greensboro Beautiful to construct a Gateway Garden;

WHEREAS, the City is being asked to support ½, or \$1.5 million, of the \$3 million estimated project cost for building a Gateway Garden;

WHEREAS, the City deems this to be in the best interest of the City to support this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Gateway Garden Capital Project budget be established in the amount of \$1,500,000 in Parks and Recreation Capital Project Bond Fund 443-5014-01 with the remaining \$1,500,000 to be provided by Greensboro Beautiful.

(Signed) Yvonne J. Johnson

.....

Mayor Holliday introduced a motion to allocate space at the Greensboro Cultural Center; he advised that details of the motion with respect to reallocation of space to the African American Atelier and allocation of space to other organizations were included in the agenda packet. Following brief remarks by Council, Councilmember Phillips moved that the motion as specified in the agenda packet be adopted. The motion was seconded by Councilmember Gatten and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

Mel Swann, Chairman of the Cultural Center Council, thanked Council, for their support and members of the committee and City staff for their work on this project.

(A copy of information from the United Arts Council and the Cultural Center Council is filed in Exhibit Drawer O, Exhibit #17 and is hereby referred to and made a part of the minutes.)

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At the request of the City Manager, the Mayor introduced a resolution approving extension of GHDP Line of Credit for Eastside Park, Ole Asheboro and Arlington Park Target Neighborhood Projects.

Following brief remarks by Andy Scott, Director of the Housing and Community Development Department, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

256-03 RESOLUTION APPROVING EXTENSION OF THE GHDP LINE OF CREDIT FOR THE EASTSIDE PARK, OLE ASHEBORO AND ARLINGTON PARK TARGET NEIGHBORHOOD PROJECTS

WHEREAS, Greensboro Housing Development Partnership, Inc. (GHDP), has a \$650,000 line of credit with FNB Southeast for housing projects in the Eastside Park neighborhood and the Ole Asheboro Target Area, due to expire on December 19, 2003;

WHEREAS, GHDP has completed these projects and the homes have been sold to owner-occupants with the line of credit to be paid in full prior to December 19, 2003;

WHEREAS, the Greensboro Housing Development Partnership has secured bids to build four more homes in the Eastside Park neighborhood and is planning on rehabilitating two or three historic homes in the Ole Asheboro and Arlington Park Target neighborhoods;

WHEREAS, GHDP is requesting an extension of the \$650,000 line of credit from FNB Southeast to cover the funding for these additional projects;

WHEREAS, the building of the properties and completion of housing revitalization activities in these neighborhoods will continue to enhance this area;

WHEREAS, the Partnership needs an extension of the \$650,000 line of credit from FNB Southeast to December 19, 2005 to support these projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That an extension of \$650,000 line of credit from FNB Southeast to GHDP for the construction of four homes in the Eastside Park neighborhood and the rehabilitation of two or three historic homes in the Ole Asheboro and Arlington Park Target neighborhood is hereby approved.

2. That the City Manager or his authorized representative is hereby authorized to execute the necessary documents in order to effectuate the approval and authorizations contained herein.

(Signed) Sandra G. Carmany

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Reginald Whitsett, spoke to various concerns related to past towing of vehicles by the City at his residence. He discussed the sale of his vehicles by the towing company and his continued receipt of tax assessments on these vehicles by the Guilford County Tax Department. Councilmember Johnson requested that the Local Ordinance Office provide any available information that might assist Mr. Whitsett with resolution of his concerns with the Guilford County Tax Department.

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North Carolina State Representative Alma Adams, residing at 2109 Liberty Valley Road, thanked Council for their support of the African Atelier in their motion to lease space at the Cultural Art Center. She expressed appreciation to Councilmembers Johnson, Gatten and Phillips for their work as liaisons to the Cultural Center Council.

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Councilmember Perkins expressed his desire to have time allocated during the upcoming Council briefing sessions to discuss and prioritize items of interest for future briefings.

Councilmember Perkins moved that Scott Lilly be reappointed to the Redevelopment Commission; this term will expire 18 December 2008. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Councilmember Perkins moved that Jane Cauthen be appointed to serve a term on the commission on Status of Women in the position formerly held by Tracie Leonard; this term will expire 15 August 2006. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

.....

Councilmember Carmany moved that Bennet Judkins be appointed to fill the unexpired portion of term of Jeffrey Roberts, resigned, on the Human Relations Commission to fill a vacancy in district five; this term will expire 15 August 2006. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

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Councilmember Jessup discussed his recent request for Housing and Community Development staff to investigate the feasibility of conducting a survey of residents in the area from Benbow Road to Martin Luther King, Junior Drive to explore the possibility of creating a historic district in this area.

Councilmember Jessup placed the name of A.P. Bailey in the boards and commissions data bank for consideration for future service on the Historic Preservation Commission.

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Councilmember Vaughan spoke briefly to recent Parks and Recreation staff's preliminary efforts with respect to the development of public parkland in the area of the Summit Avenue extension.

.....

Councilmember Johnson moved that Allen McDavid be appointed to serve the unexpired portion of term of Jeffrey Roberts, resigned, on the Minimum Housing Standards Commission; this term will expire 15 August 2006. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Councilmember Johnson moved that Charles Assenco be appointed to serve a term on the Minimum Housing Standards Commission in the position formerly held by Danny Paschal; this term will expire 15 August 2006. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Councilmember Johnson placed the name of Ruby Jones in the boards and commissions data bank for consideration for future service.

.....

In response to a constituent concern raised by Councilmember Phillips, Council briefly discussed the history of North Carolina State watershed regulations with respect to the reason for classification of gravel driveways as impervious water surfaces.

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Councilmember Phillips requested an update on a proposal received from Ben Holder at a recent Council meeting. Deputy City Manager Mitchell Johnson provided a brief update. After several members of Council expressed mixed opinions with respect to Mr. Holder's involvement in City issues and the relationship of City funding of Human Services to this proposal, the City Manager advised that staff would have a response prepared for the December 16, 2003 Council meeting.

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Council discussed various recent and upcoming community related awards, events and activities. They noted that Councilmember Carmany was honored as a Champion of Transportation at a recent the NC Go! Annual Meeting and Transportation Dinner and that on behalf of the City, Councilmember Gatten had received the Other Voices Change Agent Award for 2003.

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Following brief discussion and concurrence of Council, the City Manager scheduled a Council work session for December 10, 2003 from 12:00 - 5:00 p.m. in the Plaza Level Conference Room.

Councilmember Johnson moved that the meeting be adjourned. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

The City Council meeting was adjourned at 8:25 p.m.

Susan E. Crotts
Deputy City Clerk

Keith A. Holliday
Mayor
